

**United States Environmental Protection Agency Region 6
1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733**

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Description of property for which consent to access is granted:

All of the land area upon which the Falcon Refinery Superfund Site (Site) is located. The Site is located southeast of the city limits of the City of Ingleside, in San Patricio County, Texas. The Site's land area approximates 101.5 acres and is comprised of four separate parcels of land; a 9.145 acre parcel, a 50.113 acre parcel, a 28 acre parcel, and a 14.24 acre parcel. The 9.145 acre parcel is situated on the northwest side where Farm-to-Market Road 2725 and Bishop Road/County Road 4717 intersect. The 50.113 acre parcel is situated on the southeast corner where Farm-to-Market Road 2725 and Bishop Road/County Road 4717 intersect. The 28 acre parcel is adjacent to the southeast side of the 50.113 acre parcel and both parcels are adjacent to the southwest side of County Road 4717. The 14.24 acre parcel is bounded on its southeast side by Redfish Bay and contains land areas on both sides of County Road 4692.

Site property being the same 87.258 acres of land, described as (the "Refinery Land") and the 14.24 acres of land described as the (the "Barge Dock") in the Special Warranty Deed with Vendor's Lien that is recorded in San Patricio County Recorder's Office in Sinton, TX in Land Records in Instrument number 615663 **and also** being the same 14.24 acres of land described as (the "Barge Dock") in the Special Warranty Deed and Bill of Sale that is recorded in San Patricio County Recorder's Office in Sinton, TX in Land Records in Instrument number 615662.

Name of Signatory: Jonathan Carroll
Phone: _____

1. Corporate mailing per Secretary of State record

Lazarus Texas Refinery I, LLC
16055 Space Center Blvd, Suite 235
Houston, Texas 77062-6212

Or

2. Corporation's registered mailing per Secretary of State record

National Registered Agents, Inc.
For Lazarus Texas Refinery I, LLC
16055 Space Center Blvd, Suite 235
Houston, Texas 77062-6212

Or

3. Land owner's mailing address per the San Patricio County Assessor record

Lazarus Texas Refinery I, LLC
801 Travis, Suite 2100

Houston, TX 77002

I consent to officers, employees, and authorized representatives of the U.S. Environmental Protection Agency (EPA), entering and having continued access to the property described above for the following purposes:

1. The taking of photographs and videotapes of the above described property to document the above described property's current conditions;
2. The taking of such samples from soil, water, air, buildings, structures, pipes, tanks, and containers found at the above described property as may be necessary;
3. Sample collection includes drawing water from the tap and vacuuming the inside area of any inhabitable structure in order to collect dust.
4. Sample collection includes taking photographs to record the sampling process.
5. To search for, observe, remove, take, and/or make copies/photographs of any/all documents, labels, containers, files, and/or records located at/on the above described property.
6. The taking of response actions to mitigate any threat to human health and the environment.

I understand that these actions by EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Sections 9601-et seq.

This written permission is given by me voluntarily with the knowledge of my right to refuse and without threats or promises of any kind and I believe I have authority to sign this agreement.

Signatory's relationship to property (e.g., owner, lessee, agent/employee of owner): _____

This Agreement (Consent For Entry And Access To Property) expires on: 12/31/2015
Date

Print *Signature* *Date*